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16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 THE BANK OF NEW YORK MELLON FKA
19 THE BANK OF NEW YORK, AS TRUSTEE
20 FOR THE CERTIFICATEHOLDERS OF
21 CWALT, INC., ALTERNATIVE LOAN
22 TRUST 2005-82, MORTGAGE PASS-
23 THROUGH CERTIFICATES, SERIES 2005-
24 82,

25 Plaintiff,

26 vs.

27 NIKKI M. POMEROY; CLIFFORD L.
28 CASEY, INDIVIDUALLY AND AS
TRUSTEE FOR GENSTAR LTD TRUST;
REPUBLIC SILVER STATE DISPOSAL, INC.
DBA REPUBLIC SERVICES; ANYTIME
PLUMBING; PARADISE SPA, LLC; DOE
INDIVIDUALS I-X, inclusive; and ROE
CORPORATIONS I-X, inclusive,

29 Defendants.

30 Case No.: 2:17-cv-00939-RFB-NJK

31 **STIPULATION AND ORDER TO
32 EXTEND TIME FOR CLIFFORD CASEY,
33 INDIVIDUALLY AND AS TRUSTEE FOR
34 GENSTAR LTD TRUST TO FILE REPLY
35 IN SUPPORT OF MOTION FOR
36 SUMMARY JUDGMENT**

37 **(First Request)**

38 Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, Plaintiff, The Bank of New York Mellon
39 fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative
40 Loan Trust 2005-82, Mortgage Pass-Through Certificates, Series 2005-8 (“BNYM”), and
41 Defendant, Clifford L. Casey, Individually and as Trustee for Genstar LTD Trust (“Casey”)
42 (collectively the “Parties”), by and through their respective undersigned counsel of record, hereby

1 stipulate and agree extend the date for Casey to file a Reply in Support of Clifford L. Casey,
2 Individually and as Trustee for Genstar LTD Trust's Renewed Motion for Summary Judgment
3 [ECF No. 65] from the current due date of September 26, 2018, to **October 10, 2018**. This is the
4 first request to extend the deadline to file a reply in support of Casey's motion for summary
5 judgment.

- 6 1. This Court ordered a stay of the dispositive motion and pretrial order deadlines pending
7 the resolution of the Certified Question pending before the Nevada Supreme Court on
8 February 13, 2018, denying all pending motions at that time without prejudice to refiling
9 once the stay of the case is lifted. [ECF No. 60].
- 10 2. On March 23, 2018, further ordered that dispositive motions could be refiled within 21
11 days from the date of the Nevada Supreme Court's decision on the certified question, the
12 opposing party would have 21 days to respond and the moving party would have 14 days
13 to reply. [ECF No. 61].
- 14 3. The Nevada Supreme Court issued its decision on the certified question on August 2, 2018.
- 15 4. On August 23, 2018, BNYM filed a Motion to Stay Dispositive Motion Deadline or
16 Alternatively, Motion to Reset Dispositive Motion Deadline. [ECF No.'s 62, 63]. On the
17 same day, BNYM also filed its Renewed Motion for Leave to File an Amended Complaint.
18 [ECF No. 64].
- 19 5. On August 23, 2018, Casey filed his Motion for Summary Judgment. [ECF No. 65].
- 20 6. On September 6, 2018, Casey filed his Opposition to BNYM's Renewed Motion for Leave
21 to File an Amended Complaint [ECF No. 66] and his Response to BNYM's Motion to Stay
22 Dispositive Motion Deadline or Alternatively, Motion to Reset Dispositive Motion
23 Deadline. [ECF No. 67].
- 24 7. On September 12, 2018, BNYM filed its Opposition to Casey's Renewed Motion for
25 Summary Judgment. [ECF No. 68].
- 26 8. Casey's Reply in Support of his Renewed Motion for Summary Judgment [ECF No. 65] is
27 currently due on September 26, 2018.
- 28 9. The Parties have agreed to extend the deadline for Casey to file his Reply in Support of

Renewed Motion for Summary Judgment [ECF No. 65] to October 10, 2018.

2 10. Extending this deadline will allow Casey to fully address the issues raised in BNYM's
3 Opposition.

4 11. This is the first request for an extension of the Reply deadline.

5 12. This request is not made for any deleterious purpose or to cause delay, but is made in good
6 faith by the Parties and in the interests of efficiency and judicial economy.

7 Based on the foregoing, IT IS HEREBY STIPULATED AND AGREED that the deadline
8 for Casey to file a Reply in Support of Renewed Motion for Summary Judgment [ECF No. 65]
9 shall be extended to **October 10, 2018**.

10 DATED this 26th day of September, 2018.

DATED this 26th day of September, 2018.

11 || KIM GILBERT EBRON

AKERMAN LLP

12 /s/ Jacqueline A. Gilbert
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fka The Bank of New York, as Trustee for the
Certificateholders of CWALT, Inc.,
Alternative Loan Trust 2005-82, Mortgage
Pass-Through Certificates, Series 2005-8*

IT IS SO ORDERED.

SP

RICHARD F. BOULWARE, II
United States District Court
DATED this 27th day of September, 2018.

Respectfully submitted by:

KIM GILBERT EBRON

/s/ Jacqueline A. Gilbert

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